IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 16TH NOVEMBER 2007 / 25TH KARTHIKA 1929

WP(C).No. 33976 of 2007(T)

PETITIONER:
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1. **JOSHI GEORGE, S/O. GEORGE,**
   AGED 45 YEARS, RESIDING AT MURICKKAN, KARAMAYIL,
   MUTTUCHIRA P.O., KOTTAYAM DISTRICT.

2. **M.M. MATHEW, S/O. MATHEW,**
   AGED 60, RESIDING AT MADATHIKKUNNEL (H),
   MUTTUCHIRA VILLAGE, MUTTUCHIRA P.O.,KOTTAYAM DIST.

3. **JOSE THOMAS, S/O. THOMAS,**
   AGED 40 YEARS, KACHOKKALA, MUTTUCHIRA,
   KADUTHURUTHY, KOTTAYAM.

4. **ALPHONSA GEORGE, W/O. JOSHI GEORGE,**
   AGED 40 YEARS, MURIKKAN, KARAMAYIL, MUTTUCHIRA,
   KOTTAYAM.

BY ADV. SRI.RAJ MOHAN R.PILLAI

RESPONDENTS:
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1. **THE KADUTHURUTHY GRAMA PANCHAYAT,**
   REP. BY ITS SECRETARY, O/O. THE KADUTHURUTHY GRAMA
   PANCHAYATH, KADUTHURUTHY TALUK, KOTTAYAM DISTRICT.

2. **THE HEALTH INSPECTOR,**
   COMMUNITY HEALTH CENTRE, KADUTHURUTHI.

3. **JOSE P.NEERAKKAL, S/O. PAUL,**
   CHENA NIRAPPIL, MUTTUCHIRA, KADUTHURUTHY,KOTTAYAM.

4. **CLARA, W/O. JOSE P.NEERAKKAL,**
   CHENA NIRAPPIL, MUTTUCHIRA, KADUTHURUTHY,KOTTAYAM.

BY ADV. SRI.T.A. SHAJI, SC FOR M.G. UNIVERSITY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16.11.2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C) No.33976 of 2007

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Dated: 16th November, 2007

JUDGMENT

Adv.Mr.M.K.Chandramohan Das, Standing Counsel takes notice on behalf of the 5th respondent.

2. The grievance of the petitioners is that respondents 3 and 4 are conducting a poultry farm in such a manner as to generate pollution in the locality and without obtaining licence from the local authority and necessary consent from the Pollution Control Board. The second petitioner has submitted Ext.P1 representation before the Secretary of the 1st respondent-Panchayat. The Secretary of the 1st respondent-Panchayat will take up Ext.P1 immediately, issue notice to respondents 3 and 4, conduct necessary local inspections, get report from respondents 2 and 5 and take a correct decision on Ext.P1. Decision as directed above will be taken at the earliest and at any rate within two months of receiving copy of the judgment. Before decision is taken, a representative of the petitioners will also be heard by the 1st respondent.

The Writ Petition is disposed of as above.

srd **PIUS C.KURIAKOSE, JUDGE**